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HOUSE BILL 2041 By  
McMillan

SENATE BILL 1939  
By Crutchfield

**AN ACT to amend Tennessee Code Annotated, Section 68-3-305 relative to the surnames of children placed on birth certificates.**

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:**

**Section 1.** Tennessee Code Annotated, Section 68-3-305 (b) (1) is amended by deleting that subsection in its entirety and substituting instead the following new subsection (b) (1):

(b)(1) If the mother was not married at the time of either conception or birth or between conception and birth, the name of the father shall not be entered on the certificate of birth and all information pertaining to the father shall be omitted, and the surname of the child shall be that of either:

(A) The legal surname of the mother; or

(B) The mother's maiden surname; or

(C) Any combination of the surnames listed in (A) and/or (B).

**Section 2.** Tennessee Code Annotated, Section 68-3-305 (d) is amended by deleting that subsection in its entirety and substituting instead the following new subsection:

(d) In all other cases, the surname of the child shall be either:

(1) The legal surname of the mother; or

(2) The mother's maiden surname; or

(3) Any combination of the surnames listed in (1) and/or (2).

**Section 3.** This act shall take effect upon becoming law, the public welfare requiring it.